

United States Attorney Southern District of New York

USDS SDNY

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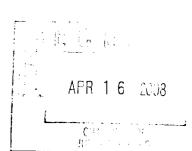
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The Silvio J. Mollo Building One Saint Andrew's Plaza New York, New York 10007

April 16, 2008



By Hand

The Honorable Victor Marrero United States District Judge Southern District of New York United States Courthouse 500 Pearl Street New York, New York 10007

Re: <u>United States v. Rubin Perez</u>

07 Cr. 502 (VM)

Dear Judge Marrero:

As Your Honor is aware, the defendant, Rubin Perez, is scheduled to be sentenced on April 25, 2008. The Government respectfully requests, with the consent of defense counsel, that the sentencing be adjourned until late June. At this time, neither of Mr. Perez's co-defendants (Javier Sanchez and Frank Tejeda) have been sentenced; accordingly, the Government does not yet have the requisite information to file a motion under Section 5K1.1 of the Sentencing Guidelines as contemplated by Mr. Perez's cooperation agreement with the Government.

Thank you in advance for your consideration of this matter.

Request GRANTED. The sentencing of defendant Rubiva

Pives herein is rescheduled to 6-27-08

so ordered.

Hold-Off Markero, U.S.D.J.

Respectfully submitted,

MICHAEL J. GARCIA United States Attorney

Rua M. Kelly

Assistant United States Attorney

(212) 637-2471

cc: AUSA Jeffrey A. Brown

Xavier R. Donaldson, Esq., Counsel to Rubin Perez Stephanie Dunne, United States Probation Officer